

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
HELENA DIVISION

TERRY JOSEPH SMITH

PETITIONER

V.

NO: 2:05CV00267 SWW-JFF

LINDA SANDERS, Warden,  
FCI-Forrest City, Arkansas;  
and UNITED STATES BUREAU  
OF PRISONS

RESPONDENTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommendations received from Magistrate Judge John F. Forster, Jr. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

IT IS THEREFORE ORDERED that Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is granted and that the Respondents are directed to (a) consider, within twenty days and in good faith, transferring Petitioner to a CCC for the last six months of his sentence in accordance with the factors taken into account by the BOP prior to its adoption of the December 2002 Policy; and (b) place Petitioner in conditions that will afford him a reasonable opportunity to adjust to and prepare for his reentry into the community during a reasonable part of the last ten percent of his term, to the extent practicable, not to exceed six months.

IT IS SO ORDERED this 31<sup>st</sup> day of January, 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE